FOR MYSORE STATE

REVENUE (195) Department.

MS SERIES.

Closed
AA
3.11.52
SWA

G.O. NO. 3077

Dated 19.11.52

[Despatch Abstract.]

Alienation - Land and Rev - (S. Kanara) - Karkal Taluk and town - T.S. nos. 276/16 to 22 - Alienated on 4 years Prealapas Elementary School - Pilkeri. Karkal - Resumed - Alienation in favour of Sri Ramappa's Higher Elementary School. Pilkeri, Karkal - For use as the site of a Higher and garden - Sanctioned

Revenue Department.
Subject

42

ALIENATION -- Land and Land Revenue - (South Kanara) - Karkal taluk and Town - T.S.Nos. 276/16 to 22 - alienated in favour of the Teacher-Manager, Neelaya's Aided Elementary School, Pulkeri for school purposes - resumption and re-alienation in favour of Manager of Ramappa's Aided Elementary School, Pulkeri, Karkal - for school building and garden - Recommended.

...

Section: Hands. Ref.E. 7720/52-1. d/ 15--10--1952

Read A.F. Mascarenhas, I.A.S., Secretary, Board of Revenue.
Read S.A. Venkataraman, I.C.S., Commissioner of Land Revenue

...

Read:- Collector of South Kanara, Ref.B3. 21406/51 dated 13--9--52.

pp 5-9 infra

REFERENCE:-

The Board recommends the resumption of an extent of Ac. 1.20 cents in T.S.Nos. 276/16 to 22 of Karkal taluk and town which were alienated in favour of the Teacher-Manager for the time being, Neelaya's Aided Elementary School, Pulkeri for school purposes in G.O.Ms.No. 2627 Revenue dated 13.11.47.

pp 6-9 of (KR)

2. At the instance of the Collector of South Kanara the Board recommends the re-alienation of the plots of land comprised in T.S.Nos. 276/16 to 22 of Karkal casba village of Karkal Taluk and town in South Kanara district measuring Ac. 1-20 in favour of the Manager for the time being of Ramappa's Aided Elementary School, Pulkeri, Karkal for use as the sites of a school and garden.

(P.T.O.)

5. The alienation will be free of charge for the occupancy right and free of ground rent but subject to the following conditions:-

(1) the land shall be used as the site of a school building and garden and for no other purpose.

(2) The school buildings shall be constructed and the garden laid within a period of two years from the date of the grant

(3) No building shall be constructed on the land set apart for garden purposes and no other building shall be constructed on the land set apart for the school without the previous permission of the Collector of the District.

(4) The market value of the land shall be collected if at any time it is found that the grantee derives a substantial income from the land. The Collector shall decide whether a net income is derived from the land or not and his decision shall be final.

(5) The Government may resume the land wholly or in part with any buildings thereon if the school is not recognised or if the recognition once granted is subsequently withdrawn.

(6) The amount of any grant made by the Government towards the cost of the building shall be deducted from the compensation payable to the grantee in the event of the resumption of the land.

(7) The school and garden shall be open to members of all classes including the scheduled classes.

(8) If there are buildings constructed on the land set apart for the garden with permission, compensation shall be payable as usual.

(9) If buildings are constructed in violation of condition (3) above, the land with the buildings shall be resumed without any compensation whatsoever.

(10) Such repairs as the Collector may consider necessary from time to time shall be executed by the grantee within such time as the Collector may fix and to his satisfaction. In the event of default, the repairs shall be carried out by the Collector and the cost thereof recovered from the grantee.

(continued...3.)

(11) The Government may resume the land wholly or in part with any buildings thereon, in the event of the infringment of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected, or other works that may have been executed on the land by the grantee and the grantee shall not be entitled to the repayment of any amount that may have beenpaid to the Government for the grant. If there are buildings on the land, the Government may direct the grantee to remove them and if the grantee refused to remove them when so directed the Government or any officer empowered by them in this behalf shall have power to remove the buildings and realise the cost of such removal by the sale of the materials.

(12) The Government may resume the land wholly or in part with any buildings thereon if in the opinion of the Government the land is required for public purposes or for conducting mining operations. In the event of such resumption, or in the event of the acquisitionof the land for any reasons, the compensation payable for the land and trees shall in the case exceed the amount paid for them by the grantee or their value at the time of resumption or acquisition whichever may be less, and the compensation payable for buildings or any other improvements shall in no case exceed the amount paid for them by the grantee at the time of alienation or their value at the time of resumption or acquisition, whichever may be less together with the initial cost or the value at the time of resumption or acquisition, whichever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. The amount of any grant made by the Government towards the cost of the buildings or other improvements shall be deducted from the compensation payable under this condition. But in no circumstances shall any compensation be paid by theGovernment in respect of buildings constructed in contravention of condition (3).

(13) In the event of the voluntary relinquishment of the land by the grantee, no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee but the grantee shall be entitled to the repayment of any amount that may have been paid to theGovernment for the grant, or the value of the land at the time of relinquishment, whichever may be less.

(14) Full land revenue shall be levied if at any time any net income is derived fromthe land or if any of the conditions of the alienation are infringed. In the latter case, the land revenue shall be levied fromthe date of the infringement. The decision of the Collector on the question whether a net income is derived from the land or not shall be final.

(Contd)

(15) The Government reserve to themselves the right to all sandal-wood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land and the Government shall be a liberty to cut or dig out any such trees or their roots an branches and remove them from the land and dispose of them at their pleasure. The alienee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the district.

(16) The alienee shall take all reasonable measures to the satisfaction of the Collector of the district for the protection of the sandal-wood trees from theft or damage and for the careful protection of the immature trees growing on the land.

(17) The alienee shall take the steps to see that the marks made by the officers of the Government on the sandal-wood trees are preserved and are not tampered with; and

(18) In the event of the infringement of, or failure to observe any of the conditions (15) to (17), the alienee shall pay to the Government such compensation as is determined by the Collector of the district for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case the alienee shall not be entitled to any compensation whatever.

for SECRETARY.

To The Secretary to Government, Revenue Department, Madras with a copy of the Collector's letter dated 15--9--52 and with alienation statements and sketch.

SV: 15/X.

Ref.33.21406/51.

S.Kanara Collector's Office,
Mangalore dated 13.9.52.

From

SRI C.A.RAMAKRISHNAN I.C.S.,
Collector of South Kanara.

To

The Secretary to the Board of Revenue,
Land Revenue, Chepauk, Madras 5 (In duplicate).

Sir,

ALIENATION - Land and land revenue (South Kanara) - Karkal taluk - Karkal casba village - S.No.276/16 to 22 - resumption - r alination in favour of Sri Ramappa's Aided Ele.School - proposals.

I submit herewith proposals for the resumption and realienation of S.No.276/16 to 22 of Karkal Casba Village, Karkal taluk, South Kanara District for the purpose of school building and garden in favour of Sri Ramappa's Aided Ele.School, Pulkeri, Karkal.

2. In G.O.Ms.No.2627 Revenue Department dated 13.11.1947 communicated with B.P.Mis.No.1614 dated 20.11.1947, S.Nos.276/16 to 22 of Karkal Casba village, Karkal taluk, measuring 1.20 acres were alienated in favour of Neelaya's Aided Ele.School, Pulkeri for the purpose of school building, garden and playground. This school has since been closed down and it is reported that the recognition of the school too has been withdrawn. The alienee's whereabouts are not known. Hence a notice was published in the village and also in the South Kanara District Gazette calling for objections if any to the resumption of the plots for violation of the conditions of the grant. No objections were received. The plots are lying vacant and are devoid of any tree growth. Hence no payment of compensation is involved in this case. Therefore I recommend that S.Nos.276/16 to 22 of Karkal casba village measuring 1.20 acres may be resumed to Government for violation of conditions of alienation.

3. The Manager and correspondent of Sri Ramappa's Aided Elementary School, Pulkeri has applied for the alienation of S.Nos. 276/16, 17 and 21 of Karkal casba village, measuring 0.54 cents in extent for the purpose of school building and S.Nos.276/18, 19, 20 and 22 of the same village measuring 0.66 cents in extent for laying out a garden to the school. The school is a recognised one and the Educational authorities have recommended the alienation. The present school is housed in a rented building and the school authorities, propose to construct the school building etc., as soon as the alienation is sanctioned.

4. The market value of the lands proposed for alienation is fixed at Rs.800/- per acre on the following basis.

Annual letting value of similar lands in the vicinity.	Rs.42.0.0 per acre.
Deduct ground rent per acre	Rs.11.4.0
Net.	Rs.30.12.0
Capitalised at 4%	Rs.768-12-0 or Rs.800/- in found figures.

The site value of ~~1220~~ 1.20 acres of land proposed for alienation works out to Rs.960/-. The land Revenue to be foregone in this case comes to Rs.337.8.0 (ground rent at Rs.11.4.0 per acre capitalised at 4%).

5. The plots do not contain any improvements and hence no amount is due by way of seigniorage value etc. As all the fields are plotted subdivisions no S.D.fee is due. A notice inviting

b

objections for the proposed alienation was published in the village and no objections were received. A set of conditions for the alienation was notified to the manager and correspondent of the school and he has agreed to abide by those conditions.

6. I recommend that S.Nos. 276/16, 17 and 21 and S.Nos. 276/18, 19, 20 and 22 of Karkal casba village, measuring 0.54 cents and 0.64 cents in extent respectively may be alienated in favour of the manager and correspondent of Sri Ramappa's Aided Ele.School Pulkeri, Karkal for the purpose of school building and garden respectively.

7. Eyesketches, adangal extracts, topo sketch etc. in duplicate and copy of the conditions notified are enclosed.

Yours faithfully,

For Collector.

AM/15-9-52.

Application for the alienation of land revenue payable to Government.

South Kanara District. Taluk: Karkal.

1. Description and area: S.No.276/16, 17, 18, 19, 20, 21, 22- A.C. 1.20
In Karkal Town Karkal Village.

2.(a) Annual ~~of~~ ground rent: S.No.276/16, 17, 18, 19, 20, 21, 22 Rs.13.8.

(b) Capitalised by 4% -do- Rs.337-8-0

3. Alienee and purpose of alienation.. Manager of Ramappa's Aided Elementary School for the purpose of a school building and garden.

Collector's remarks: RECOMMENDED.

S.Kanara Collector's Office,
Mangalore dated 12.9.52.

For Collector.

Particulars of trees and improvements existing in S.No.276/16, 17, 18, 19, 20, 21 and 22 of Karkal village.

- N I L -

S.Kanara Collector's Office,
Mangalore dated 12.9.52.

For Collector.

Application for alienation of land in which the proprietary right belongs to the state,

--

South Kanara district.

1.Description and area.

Taluk: Karkal

S.No.	Extent.	
276/16	A.0.18.	) of Karkal town
17	0.17.	) Karkal taluk.
18	0.16	)
19	0.14	)
20	0.17	)
21	0.19.	)
22	0.19	)

2.Market value Rs.960/-

3.Alienee and purpose of alienation.) Manager of Ramappa's Aided Elementary school for the purpose of a school building and garden.

Collector's remarks: Recommended.

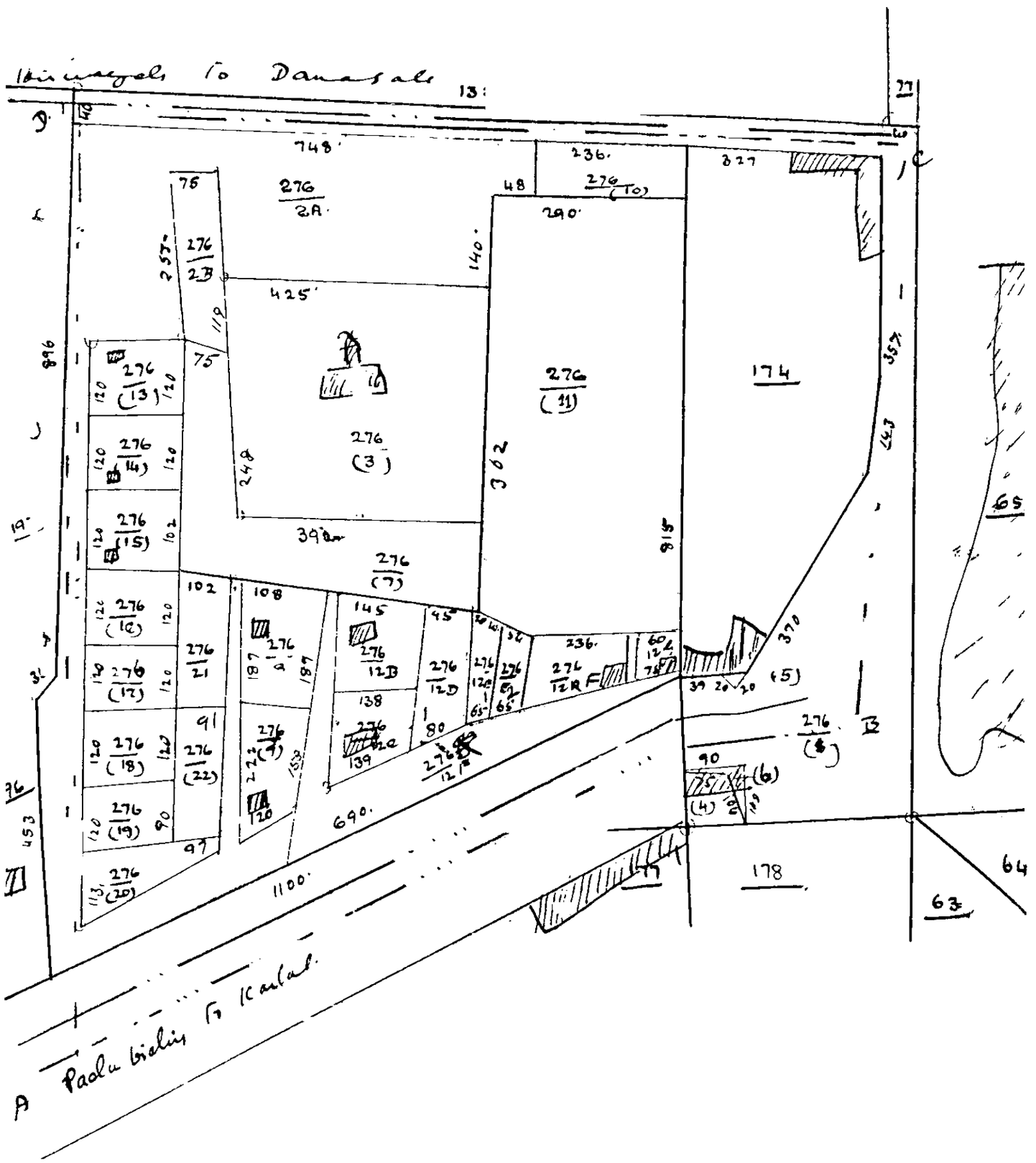
S.Kanara Collector's office)
Mangalore dated 13.9.52.)

9/10 For Collector.

Division of S Kanara

Taluk: Karkal

Field No 276 Village No. 36
Name: K



Scale 1/2 inch = One chain

Sgd.

Scale

276 10. GR. Narshima Kanda.
2A. GR A &
1 P. Road.
174 - GR. Narshima Kanda
276 11. GR. Adishwar Basthi
5 GR. Sadamma Kadu.
6E GR E Keshavaya.
12G. GR Sadamma Kadu.
12F GR R. Narshim Prabh
12E2. GR B. Subbamm Kanda
12E1 GR Devamma Kanda.
12D. Narayana Kanda
12C. 12B. B Vasudeva Kanda.
9 GR B Vasudeva Kanda.
8 Grey. Salvis
16 17 18 19. 20 21. 22 J. G & hinted in Jain & B Vasudeva. Eden School. Railway.
15 R. Vishnu Prabh.
14 R. Venkat. Prabh.
13 Narayana Kanda
A B Pada bidry. to Karkal
C D. Straight Damasale Road
Dwelling House.
Basthi
D. A Cart Track
Tank.

Pl. issue
18/11/52

Rev. Dept

[C. No. 82374 Ty/52]

(FR)

Read again:

G.O. Ms. No. 2627 Revenue dt. 13.11.1947

CF

Read also:

From the Board of Rev. Ref. E.7720/52.1 dt. 15.10.1952.

G.O. Ms. No. 3077 dt. 19.11.52

P. 2 or 3 CF

The Govt sanction the resumption of the plots of land comprised in T.S. Nos. 276/16 to 22 of Karkal ~~taluk and~~ town and taluk S. Kanara district measuring Ac. 1.20 ~~alienated~~ which were alienated in favour of the Teacher-Manager for the time being, Neelaya's Aided Elementary School, Pulkeri for school purposes in G.O. Ms. No. 2627 Revenue dt. 13.11.1947.

AP 6-9 of (RR)

~~2) The Assistant Collector~~

2. The Govt. sanction the alienation of the plots of land comprised in T.S. Nos. 276/16 to 22 of Karkal ~~taluk and~~ town and taluk, S. Kanara district measuring Ac. 1.20 in favour of the Manager for the time being of Ramappa's Aided Elementary School, Pulkeri, Karkal for use as the sites of a school and garden.

Para 2 or 3 CF

3. The alienation will be free of charge for the occupancy right and ground rent but subject to the following conditions:-

3. 2 CF

(1) The land shall be used as the site of a school ~~building and~~ garden and playground for no other purpose

(2) The school building shall be constructed and the garden laid within a period of two years from the date of the grant.

(3) No building shall be constructed on the

land set apart for garden purposes and no other building shall be constructed on the land set apart for the school without the previous permission of the Collector of the District.

(4) The market value of the land shall be Collected, if at any time it is found that the grantee derives a substantial income from the land. The Collector shall decide whether a net income is derived from the land or not and his decision shall be final.

(5) The Govt. may resume the land wholly or in part with any buildings thereon if the school is not recognised or if the recognition once granted is subsequently withdrawn.

(6) The amount of any grant made by the Govt. towards the cost of the building shall be deducted from the compensation payable to the grantee in the event of resumption of the land

(7) The school, ~~and the~~ and play ground garden shall be open to members of all communities.

(8) If there are buildings constructed on the land set apart for the garden, with permission, compensation shall be payable as usual.

(9) If ~~the~~ buildings are constructed in violation of Condition (3) above, the land with the building shall be resumed without any Compensation whatsoever.

(10) Such repairs as the Collector may consider necessary from time to time shall be executed by the Grantee within such a time as the Collector may fix and to his satisfaction. In the default, the repairs shall be carried out by the Collector and the cost thereof recovered from the grantee

(11) The grantee shall not use the land for his private benefits.

P.2 C.

(12) The Government may resume the land, wholly or in part, with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant. If there are buildings on the land the Government may direct the grantee to remove them and if the grantee refuses to remove them when so directed the Government or any officer empowered by them in this behalf shall have power to remove the buildings and realise the cost of such removal by the sale of the materials.

(13) The Government may resume the land, wholly or in part with any buildings thereon, if in the opinion of the Government the land is required for public purposes or for conducting mining operations. In the event of such resumption or in the event of the acquisition of the land for any reason, the compensation payable for the land and trees shall in no case exceed the amount paid for them by the grantee or their value at the time of resumption or acquisition whichever may be less and the compensation payable for buildings or other improvements shall in no case exceed the amount paid for them by the grantee at the time of alienation or their value at the time of resumption or acquisition, whichever may be less, together with the initial cost of the value at the time of resumption or acquisition, whichever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. The amount of any grant made by the Government toward the cost of the buildings or other improvements shall be deducted from the compensation payable under this condition. But in no circumstances shall any compensation be paid by the Government in respect of buildings constructed in contravention of condition (3).

(14) In the event of the voluntary relinquishment of the land by the grantee, no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee but the grantee shall be entitled to the repayment of any amount that may have been paid to the Government for the grant of the value of the land at the time of relinquishment whichever may be less.

(15) Full land revenue shall be levied if at any time any net income is derived from the land or if any of the conditions of alienation are infringed. In the latter case, the land revenue shall be levied from the date of the infringement. The decision of the Collector on the question whether a net income is derived from the land or not shall be final.

(16) The Government reserve to themselves the right to all sandalwood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land and dispose of them at their pleasure. The alienee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the District.

(17) The alienee shall take all reasonable measures to the satisfaction of the Collector of the District for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land

p.t.o.

4.

Accts C

:3:

(18) The alienee shall take steps to see that the marks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with; and

(19) In the event of infringement of or failure to observe any of the conditions (16) to (18) the alienee shall pay to the Government such compensation as is determined by the Collector of the District for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case the alienee shall not be entitled to any compensation whatever.

24 CF

a 25.10.52 AS. 21.10.52

~~BY ORDER OF THE GOVERNOR~~

See by 4 a

15.11.52

~~DEPUTY SECRETARY TO GOVERNMENT~~

Ord

24.11.52

To the Board of Revenue (Land Revenue)

One S/c

~~(True copy)~~
~~Forwarded / By Order~~

~~Superintendent.~~

ADDITIONAL DEPUTY SECRETARY TO GOVT. 4-NOV 1952 8150 FINANCE DEPARTMENT

Note:- The S. Kanara Collector's report on pp 5-6 CF explains the proposal in the file. The draft order on pp 1-4 above follows the Board's recommendation on pp 1-4 CF. ~~Also~~ The usual condition that the land shall not be used for the private benefit of the grantee has been included as one of the conditions (condition (11) on p. 2 ante)

Education & Finance may see before circulation

a 25/10/52 AS. 26.10.52

27.X.52 28.X.52

SECOND ASSISTANT SECRETARY 28 OCT 1952

SECOND ASSISTANT SECRETARY 28 OCT 1952 47820 EDUCATION DEPARTMENT

Edn (C)

May be perused and passed on to Edn / Fin

Fin

31/10/52 31/10/52

31/10/52

Rev. Sec. No. 82374/524 28 10 52

Edn. S. No. 47820 C/524 4/11/52

8023 24 V/52

From (Accts)

The draft order on pp 1-4 above may be perused.

Pg 10-11-52

11.11.52

Rev.

Rev. Dept

ADDITIONAL ASSTT. SECRETARY TO GOVERNMENT 17 NOV 1952 REVENUE DEPARTMENT 8984/14

To AS

Notes from p. 4 ante may be perused.

From U.O. 8150 Accts(5) 11-11-52

2. The proposal in the file relates to the resumption of the plots of land comprised in T.S. Nos 276/16 to 22 of Karkal town Karkal taluk, S. Kanara district, alienated (in G.O.Ms No 2627 Rev 13.11.47) in favour of the Teacher-Manager for the time being of Neelaya's Aided Elementary School, Pulkeri, and alienating them in favour of the Manager for the time being of Ramappa's Elementary School, Pulkeri for use as the sites of a school, garden & playground. Educn and Finance have agreed to the proposal. The draft order on pp 1-4 ante may now issue

AS IV has not approved the draft

DS 15.11.52

12/11/52

AS 13.11.52

Draft approved 14.XI.52

DS

Draft approved 15.11.52

M(LR)

M. A. Mangeshrao 17 (L.R.) 18/11

Cir 17/11/52

DEPUTY SECRETARY TO GOVERNMENT 18 NOV 1952 REVENUE DEPARTMENT

SECRETARY TO GOVERNMENT 18 NOV 1952 REVENUE DEPARTMENT